



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,629	02/02/2001	Makoto Hara	2091-0233P	7712
2292	7590	10/18/2006	[REDACTED]	EXAMINER
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			TRAN, DOUGLAS Q	
			[REDACTED]	ART UNIT
				PAPER NUMBER
			2625	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/773,629	HARA, MAKOTO	
	Examiner	Art Unit	
	Douglas Q. Tran	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 August 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) 1-12, 14, and 16 is/are withdrawn from consideration.
- 5) Claim(s) 15 and 17 is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
 PRIMARY EXAMINER

Tranlong

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-12, drawn to a printing service system including **a collaborating system**, which is considered **a single system**, is asked about the authentication information.
 - II. Claims 14-17, drawn to a different procedure in which a printing service system including **a plurality of collaborating systems** wherein one of them **is selected** and asked about the authentication information.
 - II (a). Claims 14 and 16, are drawn to a method and a program for asking a **chosen** collaborating system about the authentication information if the authentication information is associated with **the chosen** collaborating system.
 - II (b). Claims 15 and 17 are drawn to a service system comprising an authentication means for asking **a plurality** of collaborating systems about the authentication information if the authentication information is associated with **at least one** of collaborating systems.

The inventions are distinct, each from the other because of the following reasons:

- 1) Applicant is required under 35 U.S.C. 121 to elect a single disclosed species I and II for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Species I requires a printing service system having **a collaborating system**, which is considered **a single system**, is asked directly about the authentication information and species II requires a printing service system including **a plurality of collaborating systems**

wherein one of them **is selected** and asked about the authentication information. Therefore, currently, no claim is generic.

2) Inventions II (a) and II (b) are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if at least one subcombination is separately usable. In the instant case, each invention has separate utility such as operating either independently or in combination with other subcombinations according to the particular claimed limitations which characterize the invention, without requiring the particular limitations which characterize the other invention(s), as indicated above. See MPEP § 806.05(d).

For example, invention II (a) has separate utility such as **selecting one** of a plurality of collaborating systems **before asking a selected** collaborating system about the authentication information if the authentication information is associated with **the selected** collaborating system; and invention II (b) asking **a plurality** of collaborating systems about the authentication information if the authentication information is associated with **at least one** of collaborating systems.

2. Applicant's election with traverse of claims 15 and 17 in the reply filed on 8/9/06 and 4/25/06 is acknowledged. The arguments filed on 8/9/06 and 4/25/06 are not found persuasive because species I requires a printing service system having **a** collaborating system, which is considered **a single system**, is asked directly about the authentication information and species II requires a printing service system including **a plurality of** collaborating systems wherein one of them **is selected** and asked about the authentication information. Therefore, currently, no claim is

generic; and invention II (a) has separate utility such as **selecting one** of a plurality of collaborating systems **before asking a selected** collaborating system about the authentication information if the authentication information is associated with the selected collaborating system; and invention II (b) asking a plurality of collaborating systems about the authentication information if the authentication information is associated with at least one of collaborating systems.

The requirement is still deemed proper and is therefore made FINAL.

3. This application contains claims 1-12 and 14, 16 drawn to an invention nonelected with traverse on 8/9/06 and 4/25/06. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Allowable Subject Matter

4. Claims 15 and 17 are allowed.

5. This application is in condition for allowance except for the presence of claims 1-12, 14 and 16 are directed to an invention non-elected with traverse in the reply filed on 8/9/06 and 4/25/06. Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

Art Unit: 2625

The prosecution of this case is closed except for consideration of the above matter.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (571) 272-7442.

Oct. 13, 2006

**DOUGLAS Q. TRAN
PRIMARY EXAMINER**

Douglas Q. Tran